

REMARKS

In the Office Action¹ mailed October 25, 2010, (hereinafter "Office Action"), the Examiner rejected claims 1, 3, 4, 6-10, 12, 13, 15-32, and 34-36. The Examiner rejected claims 1, 3, 4, 6-10, 12, 13, 15-28, 30-31, 34, and 35 under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 6,108,657, ("*Shoup*"), in view of U.S. Patent Publication 2002/0144174 ("*Nwabueze*"). The Examiner further rejected claims 29, 32 and 36 under 35 U.S.C. § 103(a) as allegedly being unpatentable over *Shoup*, in view of *Nwabueze*, and further in view of U.S. Publication 2002/0116299 ("*Diamond*"). See Office Action at pages 4, 18. With this amendment, claims 1, 3, 4, 6-7, 9-10, 12, 13, 15-18, 20-24, 26, 28-29, 31-32, and 35-36 are currently pending, with claims 1, 10, and 21 being independent.

By this Amendment, Applicants have amended independent claims 1, 10, and 21 and canceled claims 8, 19, 25, 27, 30, and 34 without prejudice or disclaimer. Based on the foregoing claim amendments and the following arguments, Applicants respectfully traverse the rejections of claims 1, 3, 4, 6-10, 12, 13, 15-32 and 34-36 under § 103(a). In particular, with respect to the § 103(a) rejections, Applicants respectfully submit that the cited references, taken alone or in reasonable combination, do not teach or reasonably suggest all the features recited in the claims.

¹ The Office Action may contain a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Office Action.

These rejections are legally deficient because the Examiner has not properly resolved the Graham factual inquiries, the proper resolution of which is the requirement for establishing a framework for an objective obviousness analysis. See M.P.E.P. § 2141(II), citing to *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), as reiterated by the U.S. Supreme Court in *KSR International Co. v. Teleflex Inc.*, 550 U.S. 398, 82 USPQ2d 1385 (2007). In particular, the Examiner has neither properly determined the scope and content of the prior art, nor properly ascertained the differences between the claimed invention and the prior art, at least because the Examiner has not interpreted the prior art and considered both the invention and the prior art as a whole. See M.P.E.P. § 2141(II)(B).

In making these rejections, the Examiner references *Shoup*, *Nwabueze*, and *Diamond*. Although Applicants do not concede the characterizations of these references and the combination thereof, Applicants have amended the claims in the interest of expediting prosecution of the instant Application.

In making these amendments, no prohibited new matter has been added. Support for these amendments can at least be found in the present application's FIGS. 3, 4, and 5, and in the Specification as filed at pages 5, 9, 14, 19-21, 27, and 29. At least in light of these amendments and remarks in support thereof, the application is allowable.

Rejections of Claims 1, 3-4, 6-10, 12-13, 15-28, 30-31, 34, and 35 Under § 103(a)

Applicants respectfully traverse the rejection of claims 1, 3-4, 6-10, 12-13, 15-28, 30-31, 34, and 35 under 35 U.S.C. § 103(a) for allegedly being obvious over *Shoup* in

view of *Nwabueze*. Office Action at page 4. *Diamond*, which Applicants note was not relied upon by the Examiner in the rejection of claim 1, likewise fails to cure the deficiencies of *Shoup* and *Nwabueze*. *Diamond* relates to a method of aggregating terminal automation data into a central office database and making such data available via reporting tools. Accordingly, none of *Shoup*, *Nwabueze*, or *Diamond* teach or reasonably suggest the features of claim 1 as amended. In particular, none of *Shoup*, *Nwabueze*, or *Diamond*, teach or reasonably suggest “determining a data gap wherein the mapping step results in a difference between the dimension characteristics of the first set of data items and the second set of data items.”

Shoup appears to disclose a system of record management that generates multi-dimensional views for different measures. *Shoup*, Abstract. *Shoup* provides an “index engine,” responsible for generating and updating a master table index that reviews each new record. *Shoup* at col. 10, lines 30-40. It compares index records to dimensions, not “dimension characteristics” to “dimension characteristics” as in amended claim 1. *Id.*

In the Office Action, the Examiner attributes *Shoup*, col. 16, lines 45-67 and col. 17, lines 1-35 and lines 53-67, as allegedly disclosing the “determining a location of a gap comprising a difference between the first set of data items and the second set of data items.” Office Action at 5. The cited passages of *Shoup*, however, do not disclose “determining a data gap wherein the mapping step results in a difference between the dimension characteristics of the first set of data items and the second set of data items” as in amended claim 1. Instead, *Shoup* discloses a “layout engine” capable of associating dimension values to an axis and determining, if the dimension value is

empty, not to assign it to an axis group. *Shoup* at col. 17, lines 1-21. *Shoup* does not address differences in “dimension characteristics,” but focuses on “dimension values” and associating them based on a “query map.”

Further, none of *Shoup*, *Nwabueze*, or *Diamond*, teach or reasonably suggest “converting a source data structure in at least one of the plurality of data sources into a source data structure defined by at least one data item in the first set of data items.” (Emphasis added.) The Examiner admits that *Shoup* does not disclose this feature, and instead attributes *Nwabueze* at [0014], [0016], and [0017], as allegedly disclosing this feature. Office Action at 7. Applicants respectfully disagree. *Nwabueze* at [0014] discloses converting a data type based on the detected data type and then further converting it to a specific data type. *Nwabueze* at [0016] and [0017] discloses transforming raw data to processed data using processing rules. Accordingly, in no case does *Nwabueze* appear to disclose “converting a source data structure in at least one of the plurality of data sources into a source data structure defined by at least one data item in the first set of data items.” (Emphasis added.) Indeed, *Nwabueze* appears to disclose the use of either predefined processing metrics or internally detected processing metrics to define the data structure of the raw data it processes.

Further, none of *Shoup*, *Nwabueze*, or *Diamond*, teach or reasonably suggest “creating a mapping file for historic data conversion, wherein the mapping file is configured to store relationships between data items in historical data sources for use in generating new data items from historical data sources,” as in amended claim 1. The Examiner attributes *Nwabueze* at [0014] & [0015] as allegedly disclosing this claim feature. Office Action at 9-10. The recitations in *Nwabueze*, however, disclose

converting raw data types into uniform data types in a temporary database that is used to display results. Thus, it appears that the *Nwabueze* “temporary” database is insufficient to store “relationships between data items in historical data sources for use in generating new data items from historical data sources.” (Emphasis added.)

Further still, none of *Shoup*, *Nwabueze*, or *Diamond*, teach or reasonably suggest “documenting how the gap was bridged,” as in amended claim 1. The Examiner attributes *Shoup*, col. 10, lines 11-20, col. 11, lines 7-20 and lines 35-47, and col. 16, lines 45-50 as allegedly disclosing this claim element. Office Action at 15-16. At least for the reasons above with respect to the “determining a data gap,” *Shoup* does not disclose “documenting how the gap was bridged,” as alleged. In the cited sections, *Shoup* discloses storing a record of queries in a “query map.” The “layout engine” then uses the query map data and “master table index” to generate a multi-dimensional data set. But “determining a data gap” incorporates “the mapping step result[ing] in a difference between the dimension characteristics of the first set of data item and the second set of data items.” The “query map” does not therefore disclose “documenting how the gap was bridged” because a query is not analogous to a gap. *Shoup* discloses at col. 10, lines 1-10, that in response to a query, the database management system extracts records from a database that conform to the query. In particular, the “query map” does not describe a “difference between dimension characteristics,” as in amended claim 1.

Accordingly, in view of the mischaracterization of the prior art set forth above, amendments, and arguments in support thereof, the Office Action has neither properly determined the scope and content of the prior art nor ascertained the differences

between the claimed invention and the prior art. Moreover, the Office Action has provided no motivation for one of ordinary skill in the art to modify the teachings of the prior art to achieve the claimed combinations. Accordingly, no reason has been articulated as to why one of skill in the art would find the claimed combination obvious in view of the prior art. For at least this reason, no *prima facie* case of obviousness has been established.

Further, Applicants respectfully submit that the additional amendments of independent claim 1 further support the allowability of the present application. Thus, the rejection of claim 1 under 35 U.S.C. § 103(a) should be withdrawn for these additional reasons.

Independent claims 10 and 21 differ in scope from claim 1 and from one another, but contain recitations similar to those discussed above with respect to claim 1. For at least similar reasons given with respect to claim 1, the rejections of claims 10 and 21 should also be withdrawn.

Claims 3-4, 6-7, 9, and 28 depend from claim 1, claims 12-13, 15-18, 20, and 31 depend from claim 10, and claims 22-24, 26, and 35 depend from claim 21, and therefore are non-obvious at least by virtue of their dependence from a non-obvious claim. MPEP § 2143.03 8th Ed., Rev. 8 (July 2010), p. 2100-142. Accordingly, Applicant requests the reconsideration and withdrawal of the § 103(a) rejections of claims 1, 3-4, 6-7, 9-10, 12-13, 15-18, 20-24, 26, 28, 31, and 35.

Rejections of Claims 29, 32, and 36 Under § 103(a)

Applicants respectfully traverse the rejection of claims 29, 32 and 36 under 35 U.S.C. § 103(a) for allegedly being unpatentable over *Shoup* in view of *Nwabueze* further in view of *Diamond*. Office Action at page 18. Claims 29, 32 and 36 depend from claims 1, 10, and 21, respectively, and therefore are non-obvious at least by virtue of their dependence from a non-obvious claim as argued with respect to claims 1, 10, and 21, above. MPEP § 2143.03 8th Ed., Rev. 8 (July 2010), p. 2100-142. Accordingly, Applicant requests the reconsideration and withdrawal of the § 103(a) rejections of claims 29, 32, and 36.

Conclusion

In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to Deposit Account 06-0916.

Respectfully submitted,

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